

**REMARKS/ARGUMENTS**

By this amendment, claims 1, 6, 17, and 18 are amended. The amendments find support throughout the specification and do not add new matter. Reconsideration and withdrawal of the rejections in the outstanding Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

**Allowable Subject Matter**

In the present amendment, claims 1 and 3-19 are pending in the application, with claims 1 and 6 being independent. The Office Action rejects claims 1, 3-7, 9, 11-16, 18, and 19, and objects to claims 8, 10, and 17 as being dependent on a rejected base claim.

Applicants thank the Examiner for the indication of allowable subject matter in claims 8, 10, and 17.

**Rejection Under 35 U.S.C. 102(b)**

The Office Action rejects claims 1, 3-7, 9, 11-16, 18, and 19 under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,861,159 to Pardoll et al. ("PARDOLL").

In response, Applicants respectfully disagree with the rejection and submit that PARDOLL fails to disclose all of the elements of Applicants' claimed invention. In particular, Applicants submit that PARDOLL does not disclose use of "solidified, chemically fixed tumor tissues or cells," as recited in claim 1. PARDOLL discloses tumor tissues or cells which are irradiated (see, e.g., PARDOLL, column 4, line 15).

Applicants note that there is nothing in PARDOLL that discloses "solidified, chemically fixed" tumor tissues or cells.

Applicants' specification provides examples of how tumor tissues or cells may be chemically fixed, including use of fixing agents, such as formalin, alcohols (such as methanol or ethanol), or glutaraldehyde (see, e.g., page 7, paragraph 2, of the specification). Unlike the claimed invention, PARDOLL discloses irradiated tumor cells, which have reduced proliferative potential, but are still living tumor cells (see, e.g., PARDOLL, col. 2, lines 6-21). Still further, PARDOLL does not suggest a transformation of cells that results in their death, as opposed to the present invention.

Accordingly, Applicants respectfully submit that the claims clearly distinguish PARDOLL and respectfully request withdrawal of the rejection over PARDOLL.

Applicants submit that the present amendment is in compliance with 37 C.F.R. § 1.116, and should be entered. The amendments do not raise new issues requiring further consideration or search. In any event, Applicants respectfully request that these amendments be entered after Final, so that the claims are in better form for appeal.

**CONCLUSION**

For the foregoing reasons, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested.

If the Examiner has any questions, or wishes to discuss this matter, the Examiner is respectfully invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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